

2

SCOPE AND FIELD OF APPLICATION

The aim of this manual is to propose correct hygiene practices to help non-profit Charitable Organisations (COs) in recovering, collecting, storing and distributing food for charitable purposes in assistance of people in need, while assuring food safety. Correct hygiene practices help maximise the recovery and collection of surplus food from the entire agro-food supply chain, consisting of surplus production, incorrectly labelled products which are unfit for sale but safe for human consumption, food too close to its “use-by-date”, food leftovers and surplus from catering and canteen services.

In compliance with Regulation (EC) 178/2002 all food business operators, including non-profit COs distributing food free of charge, are responsible for food safety as applicable to their own operational area. Pursuant to Art. 21 of Regulation (EC) 178/2002, COs are not liable for defective products and under Italian Law 155/2003, given that they are the last link in the food supply chain, they are considered equivalent to final consumers for the purpose of civil liability.

This manual identifies and highlights good hygiene practices designed to ensure the safety of food distributed by COs, in compliance with Article 8 of Regulation (EC) 852/2004 and Article 1, subparagraphs 236 and 237 of Italian Law No. 147/2013. The manual is formulated in line with European and Italian legislation, and makes use of the principle of flexibility provided by Regulation (EC) 852/2004. In fact, COs are considered a special category of food business operators, which differ from for-profit businesses in their charitable system of recovery and redistribution as follows:

- ✓ the free nature of their activity distinguishes their social scope
- ✓ limited economic resources
- ✓ limited possibility of supplier selection
- ✓ great variety of foods handled which are considered surplus or unfit for sale
- ✓ high number and turnover of volunteers with different professional backgrounds
- ✓ different frequency of food distribution from one organisation to another
- ✓ need for highly flexible management due to the unpredictability of food donations and the great variety of foods recovered and distributed
- ✓ food donated to people in need.

Given the sector in which it is to be applied, this manual will simplify the routine hygiene practices compatible with acceptable food safety levels.

In this manual, *activity* refers to procedures for the recovery, collection and redistribution of food from the supply chain for charitable purposes as a whole. This manual is intended for **COs whose activity is carried out systematically, requires considerable organisation and has a relevant social impact in terms of both the amount of food distributed and the number of beneficiaries.**

The manual thus excludes COs whose activity can be regarded as “private domestic” pursuant to recital 9 of Regulation (EC) 852/2004, given their simpler management system, limited amount of food distributed and low number of beneficiaries. COs of this kind may have the following features:

- **COs that offer periodic food donation** to people in need mainly as “food parcels” containing essential supplies. These foods are generally wrapped, their quantity is usually limited and they are distributed once/twice a month (or more rarely, weekly) direct to the beneficiaries’ homes or from a location normally used for a different purpose and made available free of charge.
- **Foster homes/housing communities** which host limited numbers of minors, people with disabilities, adults in need and/or people with psychosocial problems, usually free of charge.
- **Street outreach teams** of volunteers offering a mobile food distribution service aimed principally at homeless people, often in urban areas. They usually distribute wrapped or fresh food (sandwiches, fruit etc.) and hot drinks (tea and milk) for immediate consumption.